

No. PD-1319-19

**IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF TEXAS**

FILED
COURT OF CRIMINAL APPEALS
6/23/2020
DEANA WILLIAMSON, CLERK

CARLOS LOZANO
Defendant/Appellant,

vs.

THE STATE OF TEXAS
Plaintiff/Appellee.

MOTION TO WITHDRAW AS ATTORNEY OF RECORD

Now comes attorney Kenneth del Valle, attorney for Defendant/Appellant, Carlos Lozano, and moves to withdraw as attorney of record for Mr. Lozano.

In support thereof undersigned counsel states as follows:

1. Undersigned was retained by Mr. Lozano to undertake in the Eighth Court of Appeals the appeal of his conviction from the 384th District Court of El Paso County, Texas in case styled *The State of Texas v. Carlos Lozano*, 20160D00209.

2. On October 31, 2019 Mr. Lozano's conviction was reversed by the Eighth Court of Appeals in case styled *The State of Texas v. Carlos Lozano*, 08-

17-00251-CR. The State's motion for re-hearing was denied.

3. The State filed a PDR and this Honorable Court granted the PDR on May 6, 2020.

4. Although named and served in the pleadings undersigned is not the attorney of record in this matter. Undersigned files this motion in part to avoid future confusion about Mr. Lozano's representation as it now stands before this Honorable Court.

5. Since his incarceration Mr. Lozano has been unemployed and now finds himself without funds to hire private counsel to defend him.

Wherefore Undersigned Counsel prays this Honorable Court grant this motion to withdraw and appoint counsel to represent Mr. Lozano in this matter.

Respectfully submitted,

/s/ Ken del Valle
Kenneth del Valle
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El Paso, Texas 79936
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Bar Number: 24010960

CERTIFICATE OF SERVICE

I, Kenneth del Valle, an attorney, do hereby certify that on June 15, 2020 I caused to be filed the above document through the Texas E File system that will notify all parties entitled to service and notice of filing.

Additionally, that I mailed a copy of this document to Mr. Carlos Lozano, TDCJ # 02156992, 12071 FM 3522, Abilene, TX 79601 with proper postage pre-paid.

/s/ Ken del Valle
Kenneth del Valle

Automated Certificate of eService

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Ken del Valle
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Associated Case Party: Carlos Lozano

Name	BarNumber	Email	TimestampSubmitted	Status
Kenneth del Valle		kendelvalle@aol.com	6/15/2020 12:27:15 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
State ProsecutingAttorney		information@SPA.texas.gov	6/15/2020 12:27:15 PM	SENT